

IN THE UNITED STATES DISTRICT COURT  
FOR EASTERN DISTRICT OF NEW YORK

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Anonymous

- against-

Fay Maureen Butler, Yvonne Gaul, Luis E. Alicea,  
Chrisendath Singh, Kenneth Adams , Craig Greene,  
Paul Arcario, Wendy Nicholson, LaGuardia  
Community College, City University of New York,  
City of New York , John Rue, Jane Doe, Jane Doe2,  
Jane Doe3, Jane Doe4, Jane Doe5, John Doe, John  
Doe2, John Doe3, John Doe4, John Doe5

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Complaint for Violation of Civil Rights (Non-  
Prisoner Complaint)  
With a Subpoena

Case No. 23-cv-04564- RPK-PK

Jury Trial: Yes

The Parties to this complaint:

A. Plaintiff

Name Anonymous (please see motion)  
Street Address 4320 Broadway #1030  
City and County New York  
State and Zip Code NY 10033  
Telephone number 917 215 2850

B. The Defendants

C/O LaGuardia Community College Legal Department  
31-10 Thomson Ave, Long Island City, NY 11101 (718) 482 5077

Chrisendath Singh, C/O LaGuardia Community College Legal Department  
31-10 Thomson Ave, Long Island City, NY 11101 (718) 482 5077

Fay Maureen Butler, C/O LaGuardia Community College Legal Department  
31-10 Thomson Ave, Long Island City, NY 11101 (718) 482 5077

Luis E Alicea, C/O LaGuardia Community College Legal Department  
31-10 Thomson Ave, Long Island City, NY 11101 (718) 482 5077

Derwent Dawkins, C/O LaGuardia Community College Legal Department  
31-10 Thomson Ave, Long Island City, NY 11101 (718) 482 5077

Craig Greene, C/O LaGuardia Community College Legal Department  
31-10 Thomson Ave, Long Island City, NY 11101 (718) 482 5077

Paul Arcario, C/O LaGuardia Community College Legal Department  
31-10 Thomson Ave, Long Island City, NY 11101 (718) 482 5077

Yvonne Gaul, C/O LaGuardia Community College Legal Department  
31-10 Thomson Ave, Long Island City, NY 11101 (718) 482 5077

Sunil Gupta, C/O LaGuardia Community College Legal Department  
31-10 Thomson Ave, Long Island City, NY 11101 (718) 482 5077

Wendy Nicholson, C/O LaGuardia Community College Legal Department  
31-10 Thomson Ave, Long Island City, NY 11101 (718) 482 5077

Student life Director (John Rue) C/O LaGuardia Community College Legal Department  
31-10 Thomson Ave, Long Island City, NY 11101 (718) 482 5077

LaGuardia Community College,  
Legal Department  
31-10 Thomson Ave, Long Island City, NY 11101 (718) 482 5077

City of New York  
100 Church Street New York, NY 10007. Phone: (212) 356-1000. Fax: (212) 356-1148.

City University of New York

205 East 42nd Street 11th Floor New York, NY 10017 Phone: 646-664-9200 Fax: 646-664-2964 Email  
Us: ogc@cuny.edu

Name Jane Doe  
Name Jane Doe2  
Name Jane Doe3  
Name Jane Doe4  
Name Jane Doe5  
Name John Doe  
Name John Doe2  
Name John Doe3  
Name John Doe4  
Name John Doe5

Street Address \_\_\_\_\_  
City and County \_\_\_\_\_  
State and Zip Code NY \_\_\_\_\_  
Telephone number \_\_\_\_\_

**Exhibits: for this case:**

1. I can't find the note that I was given that day by the college security. I reserve the right to produce it as soon as I find it.
2. I do not recall is I have a video of the incident or not I reserve the right to produce it if I have it.

**Basis of Jurisdiction:**

All local remedies are exhausted. All college officials including CUNY's Chancellor were contacted to no avail.

Damages are ongoing.

The New York City was notified of the claim as required

Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question.

This case is filled under Title 42 U.S.C. Section 1983:

Violation of first, fourth, eight, fourteenth, educational and employment rights based on protected characteristics, as well as other federal laws. Yes, all Jane Does (JD) and John Does (JoD) as well as all named parties did act under the color of law as they were on duty and the Janes Doe and Johns Does were uniformed officers and were on duty. Consequently, all parties did act under the color of law she was employed by the college and was tabling to recruit more "college peer advisors", aka students who work for the CUNY community college.

Location Queens, New York: All incidents did happen on LaGuardia Community College premises or LaGuardia Community College's email accounts were used.

**Interpretation and construction:**

Based on CPLR 3026 and it's federal equivalent (Construction Pleadings shall be liberally construed. Defects shall be ignored if a substantial right of a party is not prejudiced), I request that this pleading is constricted liberally.

In addition, I request that if any part of this pleading or any part of it is not under jurisdiction of this court because criminal or state language is used instead of applicable language and / or terminology that this court uses, that it would convert the terminology accordingly. If any part of this complaint court cannot be addressed in this court, that the part or request that part is to be severed, but the rest of the complaint is to survive, just same as if it was a contract and some part of t was unenforceable, it would be severed, but the rest of the complaint remain and the parts of this complaint that this court can address is to be addressed. Furthermore, I reserve the right to adjust the complaint as I have to do this one in a hurry as I expected to my complaints to be addressed and resolved and did not realize initially that all actions were malicious and premeditated against me.

**Statement of Claim**

I am a first and a half generation American, live in the City for the past 30 years. During Covid-19: I went back to school to get a certification, but getting another degree and not a mere certificate cost 3 more classes. And so, I was an non-traditional student (since graduated with honors) at a college which, as I found out later, officially favors Hispanic students and claims to serve the Hispanic community.

CUNY Central and CUNY colleges has been repeatedly sued for all kinds of discrimination against all possible groups of people including white males, black females, religious Jewish females, etc., to name a few groups of students and faculty who sued or sued and won vs. CUNY colleges over the years.

In my case I being discriminated over the place of origin, reverse discriminated on race, discriminated on religious basis and discriminated on perceived gender identity (as I come from a different culture, etc.),

finally they discriminated against me based on age and disability. I claim discrimination under civil rights acts of 1871, 1964, New York State and New York City statutes, etc.

#### **College Policy:**

College goes out of its way not to enroll non-Hispanic students, engaging in institutional discrimination. It recently reported to have a mere 11% white students that is not consistent with the US, New York State and the New York City white population. LaG Discriminates vs non-Hispanics enrolment including running advertizing in Spanish language only in regular mainstream English media outlets, like radio station 103.5, KTU. KTU is very popular mainstream English language radio station, here in New York City, among outer outlets. What motivates such scandalous behavior is grant money.

#### **Events:**

On June 14<sup>th</sup> or the 17<sup>th</sup> 2022 at LaGuardia's Community college E building side entrance 31-10 Thomson Avenue, Long Island City, NY 11101 at Van Dam Street entrance or so, when trying to pick up my property (cap and gown that was delivered for me to campus) visit college officials, get covid-19 testing, get tutoring and pick up my cam and gown, etc, I was told to wait for cap and gown, etc to be brought to me by security officers and was given a note that is for non-students and non-faculty, some kind of campus ban for visitors that the security written my name on while having me with for my property to be brought to me, effectively false imprisoning me or and detain me for no reason. Security personnel threatened me with false arrest. About 10 uniformed officers poured into the entrance lobby and assumed "checkers formation". One black male officer was threatening me with the cuffs and seemed eager to physically attack me. I was in fear of my life, liberty and property, and actually were denied my property.

I was in shock and disbelief about the unprovoked attack. I feel fortunate that the security did not kill me, right then and there for "safety reasons". Security force has a reputation there to be aggressive and belligerent.

The security has been harassing me on other occasions as well, I feel that this attack was a retaliation for videotaping them in action. They have discriminated me in the past by asking for my 2<sup>nd</sup> ID and asking to use a visitor's entrance while attending events there as if I was not a student and was not allowed to walk through the college to the events as anyone who is in the E building would do, no, they wished me to exit, go around the building and enter there! The security has copied information of my state ID as well as my

student ID on several occasions for no reason, making me uncomfortable. Security were making all sorts of comments to each other and to me about me on other occasions, searching computer, asking me to stand, while making me late for my classes and other kinds of unlawful harassment. Nobody ever told me how to deal with that kind of misbehavior and I felt unsupported while attending LaG.

That attack and threat of violence and false imprisonment kept me from attending the Commencement ceremony among other things.

**Definitions:** All claims that are against individuals are in their personal and official capacities.

City aka New York City; CUNY aka City University of New York

College aka The LaGuardia Community College aka LaGuardia CC aka LaG

“President” aka president of the LaGuardia Community College who is Dr. Fay Maureen Butler’s immediate supervisor and with whom I personally spoke and emailed and who never responded to my emails Dr. Kenneth Adams (Dr. Adams), (President) in his professional capacity for failure to supervise.

Student Life Director at LaG “John Rue”, withholding my cap and gown: negligence

College’s title IX officer hi is also an affirmative action officer Craig Greene in his professional capacity for failure to do his job.

LaGuardia Community College’s Provost at the time when I was a student there Mr. Paul Arcario in his professional capacity failure to take action, failure to supervise.

Ms. Wendy Nicholson, Executive Director of Diversity, Equity, and Inclusion at LaG failure to do her job, negligence in her official capacity

LaGuardia Community College’s professional advisor #1 Mr. Chrisendath Singh (Mr. Sigh) my advisor from my enrollment to June 2022 in his personal and professional capacity for both negligence and deliberate withholding college resources from me and not advocating on my behalf as his job required. Withholding my cap an gown in his new professional capacity working in student life office as a supervisor.

Student life director in negligence to forward cap and gown to me and losing it.

Reverend aka Butler aka Dean of Success aka Dean of Students, aka Ms. Fay Maureen Butler Security

CO aka College security officer

JD aka Jane Doe, Jane Doe2,. Jane Doe3,. Jane Doe4,. Jane Doe5,. –uniformed college security officers

John Doe,. John Doe2,. John Doe3,. John Doe4,. John Doe5,. –uniformed college security officers

Sergeant Starnisha E Rue (cover up, creating hostile environment)

Security: Public Safety Director Lt. Yvonne Gaul (cover up, creating hostile environment, failure to supervise)

**Relief/Damages/Compensation:**

**Parties Liable:** in all counts, unless stated otherwise as follows:

All individuals are liable in their official capacity and personal capacities:

Let the Jury decide damages here and in all instances where not specified.

**Causes of Action Clarification applicable to all causes of action and damages:** disability discrimination comes from Covid 19 testing; race discrimination comes from reverse discrimination and moreover of me not being Hispanic, so it is a double discrimination; country of origin as whatever they think based from my name, disability claim comes from Covid-19 testing security perceived me to be disabled because I wanted to get tested and did not want me to have campus access;

Religion bases come from college policy's of promoting Catholics: college favors Hispanics, who are generally known be overwhelmingly Catholic. As I am not a Catholic, I am being prosecuted.

Age discrimination: comes from me being non-traditional student with protected characteristics.

Consequently, all my protected characteristics are too different from the average student there and that is the reason for such an outrageous aggression. The aggression is compounded. It is more like that the snow is fine, but not in July and not with hail, wind and solar eclipse, all these things may have happened individually, but the combination of all above is intolerable for LaGuardia. White students are mere 11% there, nontraditional even less, then religion, and then there was Covid-19 testing( aka solar eclipse), etc.

**Civil rights violations:**

Cause of Action damages 1: First amendment: precluded any speech in college that day.

Cause of Action damages 2: Fourth Amendment – seizure of my property by the college (cap and gown, etc.), seizure of service: my college campus access, seizure of service: covid-19 testing

Cause of Action damages 3: Eight Amendment: cruel and unusual punishment of denying me covid testing, access to campus, denial me of my property, cap and gown, tickets to the commencement, etc., cruel and unusual punishment of me being blocked from contacting college officials, cruel and unusual punishment of me not being able to access tutoring and other services in college where I was a student.

Cause of Action damages 4: fourteenth Amendment: caused me to be denied my rights under 14<sup>th</sup> amendment as to due process and illegal IDing, Questing, denial me of all the above without due process.

Cause of Action damages 6: Differential treatment all parties treated me differently than they would treat a Hispanic person as Hispanics are privileged in that college

Cause of Action damages 7: The Civil rights act of 1866 - Reverse discrimination on the basis of race attacking my right to education and being free from false accusations

Cause of Action damages 8: The Civil rights act of 1875: providing for equal treatment in public accommodations – here we have education all parties caused me not to have access to education both in college and next college I can't quantify damages at this time – compensatory, nominal against all

Cause of Action damages 9: The Civil rights act of 1857 discrimination based on protective characteristics Civil rights based on reverse discrimination on race

Cause of Action damages 10: The Civil rights act of 1964 protective classes

Cause of Action damages 11: Civil Rights Restoration Act of 1987 getting federal funds, yet did not comply with civil rights in all areas



## New York State and City Jurisdiction

### Cause of Action damages 12:

State § 291. Equality of opportunity a civil right.

*1. The opportunity to obtain employment without discrimination because of age, race, creed, color, national origin, sexual orientation, gender identity or expression, military status, sex, marital status, or disability, is hereby recognized as and declared to be a civil right.*

*2. The opportunity to obtain education, the use of places of public accommodation and the ownership, use and occupancy of housing accommodations and commercial space without discrimination because of age, race, creed, color, national origin, sexual orientation, gender identity or expression, military status, sex, marital status, or disability, as specified in section two hundred ninety-six of this article, is hereby recognized as and declared to be a civil right.*

1. as threats of violence and false arrest by the security personnel caused me not to be able to access the career development center on campus thus hindering my employment opportunities based on protected characteristics.

2. As all defendants either negligently or intentionally interfered and interfere with my opportunity to obtain education both in LaG and elsewhere based on protected characteristics. These who were not directly involved were negligent and these directly involved acted deliberately.

Cause of Action damages 13: § 296. Unlawful discriminatory practices. 1. It shall be an unlawful discriminatory practice:

*(a) For an employer or licensing agency, because of an individual's age, race, creed, color, national origin, citizenship or immigration status, sexual orientation, gender identity or expression, military status, sex, disability, predisposing genetic characteristics, familial status, marital status, or status as a victim of domestic violence, to refuse to hire or employ or to bar or to discharge from employment such individual or to discriminate against such individual in compensation or in terms, conditions or privileges of employment.*

I could not apply for a job on campus because of their actions of discriminating me based on protected characteristics.

Cause of Action damages 14: False reporting injuries: mental anguish, humiliation, embarrassment, and emotional injury, plus intentional infliction of emotional distress or/and negligent infliction of emotional distress, loss of sleep, insomnia stress, partial loss of enjoyment of life

Cause of Action damages 15: 2022 06 14/17 incident mental anguish, humiliation, embarrassment, and emotional injury, plus intentional infliction of emotional distress or/and negligent infliction of emotional distress, loss of sleep, insomnia stress, partial loss of enjoyment of life, damage to academic/business reputation.

Cause of Action damages 16 : 2022 06 14/17 incident mental anguish, humiliation, embarrassment, and emotional injury, plus costs and attorneys' fees plus intentional infliction of emotional distress or/and



negligent infliction of emotional distress, loss of sleep, insomnia stress, partial loss of enjoyment of life, deformation of character

Cause of Action damages 17 : Caused me to not be able to get me covid 19 test unwarranted and inexcusable abuse of power, assault and battery(civil) mental anguish, humiliation, embarrassment, and emotional injury, plus costs and attorneys' fees plus intentional infliction of emotional distress or/and negligent infliction of emotional distress, loss of sleep, insomnia stress, partial loss of enjoyment of life

Cause of Action damages 18 : Discrimination on the bases of gender, race, color, national origin, creed against all college officials directly involved in the incidents and actions listed above as well as personally another

**Corrective actions and intemideate corrective actions desired:** Cause of Action damages 19:. behavior of creating physical barriers using CO's bodies to block my entry to college campus: behavior to be banned as lacking any merit, retaliation moreover it is against US education policy to deny access to education. To direct college to stop attacking me when I enter the college or go to the commencement ceremony and what else court deems proper and necessary to relieve the hardship and curtain unlawful behavior. Second corrective action is to direct LaG to return all my property.

Cause of Action damages 20: defamation, slander, liable and filling a false trespass and security report. The injuries include missing commencement ceremony, not being able to access campus and subsequently finish classes on time as I got an INC, loss of professional reputation. I had to send emails to my professors and college officials explaining my situation and ask for extensions as I not only did not complete anything that day, but also was physically sick because of stress, which caused me high blood pressure, headache, insomnia, toothache. I was in no condition to do anything for at least three days, at the very end of the semester when everything was due. Causes of action for intentional infliction of emotional distress and for negligent infliction of emotional distress steam out of the action of this outrageous and uncivilized conduct.

Cause of Action damages 21: for intentional infliction by emotional distress by violating my rights as described above.

Cause of Action damages 22: Interference with business contract or and interference with business relationship as described above

**Cause of Action damages 23:** Arbitrary and capriciously preventing me from use computer lab and buy food in the cafeteria as well as read some books in the library.

Cause of Action damages 24: interfered with my business contract with college and of college with 3<sup>rd</sup> party provider as college did not deliver the cap, gown and accessories on time as it was advertized that the purchased items was supposed to way before the

**Cause of Action damages 25:** Interference with business contract or business relationship with photography company for interference with me taking and getting my graduate pictures

Cause of Action damages 26: Civil assault and Civil battery vs security involved

Cause of Action damages 27: Negligence and negligence to supervise vs the CITY, CUNY and LaGuardia, and of officials holding supervisory positions named in the claim in their official capacities.

Cause of Action damages 28: Negligence to perform their duties to my advisors and these in advisory roles in their official capacity. Negligence to perform her duty vs Ms. Butler in her official and personal capacity.

Cause of Action damages 29: Negligence in hiring and training and retention practices vs city, CUNY, LaGuardia and supervisors.

Cause of Action damages 30: LaG and CUNY breach of contract: no on campus and no alumina-8. services, no commencing, all sorts of other damages. Relief: lifting the bursar hold as I do not owe what they claim I do, as we figure out who owes what to whom.

Cause of Action damages 31: Loss of income, loss of business opportunities, loss of educational opportunities, loss of dividends, loss of goodwill, loss of employer contributions, loss of medical coverage, and case prosecution related expenses including fillings, etc. etc as I have to work as a paralegal in this case instead of regular paralegal employment as I graduated with honors as a paralegal.

**damages 32** Punitive damages vs individual defendants on all counts as attacking a college student with false arrest and false imprisonment as well as malicious prosecution is unconscionable especially as LaG goes out of its way to enroll students of a different race than the student. The above described was a bias attack. The above described conduct is not tolerable in a civilized society: 10 armed security attacking a student for going to college?! 10 armed security attacking a student for getting medical testing?! 10 armed security attacking a student for picking up property on campus?! Moreover, False imprisonment via false pretenses of waiting for the property. All the above actions were done by these whose fiduciary duty was to the opposite of their actions.

**damages 33:** Charging all applicable damages to all for the incident described above and for allowing this to happen to parties in this case, charging long term harassment and abuse of discretion, abuse of power.

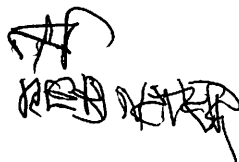
**Cause of Action damages 34:** Security personnel is liable for following unlawful orders and not enforcing the law as they should in their official capacity and security personnel who were making decision is liable for intentional torts in their both personal and official capacity.

#### **Certification and Closing:**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

Signature Plaintiff

Printed Name Plaintiff

The block contains a handwritten signature in black ink, which appears to be 'J. R. R. R.', and below it, the printed name 'J. R. R. R.' in black ink.

AO 88B (Rev. 12/13) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

# UNITED STATES DISTRICT COURT

for the

Anonymous

Plaintiff

v.

Kenneth Adams, Fay Maureen Butler, Luis E Alicea,  
Chrisendath Singh, Craig Greene, Paul Arcario,  
Yvonne Gaul, Wendy Nicholson, LaGuardia

Defendant

Civil Action No.

## SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To:

LaGuardia Community College

(Name of person to whom this subpoena is directed)

☒ **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: video, notes, reports, documents, phone call log, investigation, etc. pertaining to events of June 14<sup>th</sup> or 17<sup>th</sup> 2022 involving denial of entry to a student at the E building of the LaGuardia Community college's VanDam entry. Produce the copy of the denial of entry note, names of posted and responding security officers.

Place: infacceptance@gmail.com

Date and Time:

☐ **Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: \_\_\_\_\_

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) \_\_\_\_\_

Anonymous ProSe \_\_\_\_\_, who issues or requests this subpoena, are:  
4320 Broadway #1030 New York, NY 10033 infacceptance@gmail.com 917 215 2850

### Notice to the person who issues or requests this subpoena

A notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).